UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

P3 INTERNATIONAL CORP. Plaintiff, v.)) Case No.) 11 Civ 6772 PAE (FM)) ECF
ONE WORLD TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., and TECHTRONIC INDUSTRIES COMPANY, LTD, Defendants.)))) NOTICE OF MOTION TO ENFORCE) SETTLEMENT MADE OF RECORD)

PLEASE TAKE NOTICE that plaintiff P3 International Corp. hereby moves this Court for entry of a settlement judgment and order of dismissal effecting the settlement reached by the parties at a settlement conference held before Magistrate Judge Maas on June 22, 2012, and placed on the record at the conclusion of that conference.

This motion is based on the transcript of the proceedings in this action of June 22, 2012 (Doc. 23), the declaration of Shawn Herzinger, and the memorandum in support of this motion.

The grounds for this motion are that the parties agreed to the terms of settling this action and placed those terms on the record in open court but, after extensive discussions between the parties in an effort to reduce their settlement to a written agreement, defendants have now changed their minds and seek to back out of the obligations to which they agreed and are bound.

October 19, 2012

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UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

P3 INTERNATIONAL CORP. Plaintiff,)) Case No.) 11 Civ 6772 PAE
ONE WORLD TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH)) ECF)
AMERICA, INC., and TECHTRONIC INDUSTRIES COMPANY, LTD., Defendants.)) CERTIFICATE OF SERVICE))

It is hereby certified that, on October 19, 2012, copies of the foregoing Notice of Motion to Enforce Settlement Made of Record, plaintiff's Memorandum in support thereof with proposed Settlement Judgment and Order of Dismissal, Declaration of Shawn Herzinger, and the transcript of settlement conference proceedings held June 22, 2012, were served by first class mail, postage prepaid, upon defendants' counsel of record in an envelope addressed to:

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